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A

General Assembly

PROVISIONAL

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Forty-seventh session

GENERAL ASSEMBLY

PROVISIONAL VERBATIM RECORD OF THE 111th MEETING

Held at Headquarters, New York,
on Wednesday, 15 September 1993, at 10 a.m.

| | | |
|---|---|---|
| President: | Mr. GANEV | (Bulgaria) |
| later: | Mr. HAYES (Vice-President) | (Ireland) |
| later: | Mr. GANEV | (Bulgaria) |

- Scale of assessments for the apportionment of the expenses of the General Assembly [111] (continued)

- Election of judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 [156]

  (a) Letter from the President of the Security Council

  (b) Memorandum by the Secretary-General, including the list of candidates

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(c) Curricula vitae

- Programme of work

- Election of judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 [156] (continued)

(a) Letter from the President of the Security Council

(b) Memorandum by the Secretary-General, including the list of candidates

(c) Curricula vitae

The meeting was called to order at 10.40 a.m.

AGENDA ITEM 111 (continued)

SCALE OF ASSESSMENTS FOR THE APPORTIONMENT OF THE EXPENSES OF THE UNITED NATIONS (A/47/870/Add.5)

The PRESIDENT: Before turning to the item on our agenda for this meeting, I should like to draw the General Assembly's attention to document A/47/870/Add.5. In his letter contained in that document, the Secretary-General informs me that, since the issuance of his communications dated 19 January, 15 April, 7 May and 2 and 15 June 1993, Sierra Leone has made the necessary payment to reduce its arrears below the amount specified in Article 19 of the Charter.

May I take it that the General Assembly duly takes note of this information?

It was so decided.

AGENDA ITEM 156

ELECTION OF JUDGES OF THE INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991

(a) LETTER FROM THE PRESIDENT OF THE SECURITY COUNCIL (A/47/1003)

(b) MEMORANDUM BY THE SECRETARY-GENERAL, INCLUDING THE LIST OF CANDIDATES (A/47/1005)

(c) CURRICULA VITAE (A/47/1006)

The PRESIDENT: This morning the General Assembly will proceed to the election of 11 judges of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.

As members may recall, by its resolution 827 (1993) of 25 May 1993, the Security Council adopted the Statute of the International Tribunal. According to article 13, paragraph 2 of the Statute, the 11 judges of the International Tribunal shall be elected by the General Assembly from a list of candidates submitted by the Security Council.

In connection with the election, I should like to bring the following matters to the attention of the General Assembly:

(The President)

First, at its 3265th meeting, on 20 August 1993, the Security Council established in resolution 857 (1993), in accordance with article 13, subparagraph 2 (c) of the Statute of the International Tribunal, a list of 23 candidates, taking due account of the adequate representation of the principal legal systems of the world. The list was formally conveyed to the President of the General Assembly in a letter dated 20 August 1993 from the President of the Security Council. The letter was issued as document A/47/1003.

Secondly, in accordance with article 13, subparagraph 2 (a) of the Statute of the International Tribunal, the Holy See and Switzerland, the two non-member States which were invited to nominate judges for the International Tribunal, shall participate in the election in the same manner as the States Members of the United Nations. On this occasion, I am happy to welcome here the representatives of the Holy See and Switzerland.

Thirdly, in accordance with article 13, subparagraph 4 of the Statute of the International Tribunal, the judges shall be elected for a term of four years. The judges will take office two months following the date of their election by the General Assembly.

Finally, I should like to draw the attention of the Assembly to the documents relating to the election. The memorandum by the Secretary-General concerning the election of judges of the International Tribunal is contained in document A/47/1005.

I now call on the Observer of the Holy See.

Archbishop MARTINO (Holy See): The Holy See has attentively followed the process leading to the establishment of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991.

The Holy See, and specifically Pope John Paul II, has unceasingly worked for the cessation of hostilities, the reconciliation of the parties and international humanitarian solidarity with all the victims and has without any distinction condemned in the strongest terms the perpetrators of crimes, holding them responsible not only before the tribunal of God but also in the courts of

(Archbishop Martino, Holy See)

human justice. Since the beginning of the conflict the Holy See has supported, especially within the Conference on Security and Cooperation in Europe, the principle of the personal responsibility of the parties and therefore welcomes the establishment of the International Tribunal as a means for the international community to express its condemnation of crimes committed against human rights.

The Holy See welcomes the provisions of article 13, subparagraphs 2 (a) and 2 (d) of the Statute of the International Tribunal, which authorize its active participation in the establishment of the Tribunal, owing to its maintaining a Permanent Observer Mission at the United Nations.

However, the Holy See, in consideration of its specific nature and its objectives as a sovereign international entity, and according to the recognized praxis in similar cases, has decided to abstain from casting its vote on the individual candidates for the office of judge of the International Tribunal.

The Holy See expresses its confidence in the choices that will be made by the international community and its sincere best wishes for success to the elected judges in their service to the cause of justice.

The PRESIDENT: The list of candidates is contained in paragraph 6 of document A/47/1005. As indicated in the footnote to paragraph 6, one of the 23 candidates on the list established by the Security Council has decided to withdraw his candidacy for judge of the International Tribunal. This is why the list in document A/47/1005 consists of 22 candidates.

The curricula vitae of the candidates are contained in document A/47/1006. In that connection, may I bring to your attention the provision of article 13, paragraph 1, of the Statute of the International Tribunal, which reads as follows:

> "The judges shall be persons of high moral character, impartiality and integrity who possess the qualifications required in their respective countries for appointment to the highest judicial offices. In the overall composition of the Chambers due account shall be taken of the experience of the judges in criminal law, international law, including international humanitarian law and human rights law."

As representatives know, the election of judges will take place in accordance with the relevant provisions of article 13 of the Statute of the International Tribunal.

In addition, given the similar nature of the election of judges of the International Court of Justice and the election of judges of the International Tribunal, the Secretary-General suggests in his memorandum that similar election procedures be followed in the General Assembly.

May I take it that the Assembly agrees to that suggestion?

It was so decided.

The PRESIDENT: In accordance with article 13, subparagraph 2 (d), of the Statute of the International Tribunal, the candidates who receive an absolute majority of the votes of States Members of the United Nations and of the non-member States maintaining permanent observer missions at United Nations Headquarters shall be declared elected.

The consistent practice of the United Nations has been to interpret the words "absolute majority" as meaning a majority of all electors, whether or not they vote or are allowed to vote. The electors, for this purpose, are all the

(The President)

Member States - 184 - and the two non-member States, namely the Holy See and Switzerland. Accordingly, 94 votes constitute an absolute majority for the purpose of electing judges of the International Tribunal.

If in the first ballot, fewer than the required number of candidates obtain an absolute majority, a second ballot will be held, and balloting will continue until the required number of candidates obtain an absolute majority.

Following the practice in the election of judges of the International Court of Justice, the Secretary-General suggests in his memorandum that subsequent balloting should be unrestricted - I repeat, that subsequent balloting should be unrestricted.

It is further suggested that, if more than the required number of candidates obtain the absolute majority of votes in the first ballot, in accordance with the practice followed in the elections of the judges of the International Court of Justice, a second ballot be held on all candidates and balloting continue until the required number of candidates, and no more, obtain an absolute majority.

May I take it that the Assembly agrees to the procedures I have just outlined?

It was so decided.

The PRESIDENT: Concerning the financing of the International Tribunal, I should like to remind representatives that the Assembly adopted yesterday resolution 47/235 on that question. By that resolution, the Assembly endorsed the recommendation of the Advisory Committee on Administrative and Budgetary Questions to authorize the Secretary-General to enter into commitments in an amount not exceeding $500,000 to provide for the immediate and urgent requirements of the International Tribunal for its initial activities, and requested the Secretary-General to present, during the forty-eighth session of the General Assembly and before 31 December 1993, detailed cost estimates for the International Tribunal, separate from the proposed regular budget for the biennium 1994-1995, to be financed by assessed contributions and, pending a final decision on the manner of the apportionment of the expenses of the International Tribunal, to finance its activities through a separate account outside the regular budget.

(The President)

We shall now proceed with the election.

The voting process has now begun.

Representatives are requested to use only the ballot papers now being distributed. Only those candidates whose names appear on the ballot papers are eligible for election. Representatives will indicate the 11 candidates for whom they wish to vote by placing crosses at the left of their names on the ballot papers. Ballot papers on which more than 11 names are marked will be considered invalid. Votes may only be cast for those whose names appear on the ballot papers.

At the invitation of the President, Mr. Momen (Bangladesh), Mr. Lepeshko (Belarus), Mr. El Amrani (Morocco), Ms. McDonald (New Zealand), Miss Chatoor (Trinidad and Tobago) and Mr. Dzvairo (Zimbabwe) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 11.15 a.m. and resumed at 12.45 p.m.

The PRESIDENT: The result of the voting is as follows:

| | |
|---|---|
| Number of ballot papers: | 166 |
| Number of invalid ballots: | 1 |
| Number of valid ballots: | 165 |
| Abstentions: | 1 |
| Number of members voting: | 164 |
| Required absolute majority: | 94 |
| Number of votes obtained: | |
| Ms. Gabrielle Kirk McDonald (United States of America) | 137 |
| Mr. Jules Deschenes (Canada) | 125 |
| Mr. Antonio Cassese (Italy) | 123 |
| Mr. Georges Michel Abi-Saab (Egypt) | 116 |
| Mr. Li Haopei (China) | 111 |
| Mr. Germain Le Foyer de Costil (France) | 107 |
| Mr. Lal Chan Vohrah (Malaysia) | 96 |
| Sir Ninian Stephen (Australia) | 89 |
| Mr. Heike Jung (Germany) | 87 |
| Mr. Julio A. Barberis (Argentina) | 81 |
| Mr. Rustam S. Sidhwa (Pakistan) | 80 |
| Mr. Valentin G. Kisilev (Russian Federation) | 71 |
| Ms. Elizabeth Odio Benito (Costa Rica) | 71 |
| Mr. Raphaël Barras (Switzerland) | 69 |
| Mr. Hüseyin Pazarci (Turkey) | 69 |
| Mr. Adolphus Godwin Karibi-Whyte (Nigeria) | 65 |
| Mr. Moragodage Christopher Walter Pinto (Sri Lanka) | 64 |
| Mr. Jerzy Jasinski (Poland) | 52 |
| Mr. Alfonso de los Heros (Peru) | 44 |
| Mr. Daniel David Ntanda Nsereko (Uganda) | 40 |
| Mr. Sikhe Camara (Guinea) | 37 |
| Mr. Amadou N'Diaye (Mali) | 36 |

The PRESIDENT: Having obtained an absolute majority, the following seven candidates are elected members of the International Tribunal: Mr. Georges Michel Abi-Saab, Mr. Antonio Cassese, Mr. Jules Deschenes, Mr. Germain Le Foyer de Costil, Mr. Li Haopei, Ms. Gabrielle Kirk McDonald and Mr. Lal Chand Vohrah.

The Assembly will have to proceed to another ballot to fill the remaining four vacancies. In accordance with the decision taken earlier, that ballot shall be unrestricted.

Ballot papers will now be distributed. All candidates whose names appear on the ballot paper are eligible. The names of the following seven candidates, who have already obtained an absolute majority of votes, have been deleted: Mr. Georges Michel Abi-Saab, Mr. Antonio Cassese, Mr. Jules Deschenes, Mr. Germain Le Foyer de Costil, Mr. Li Haopei, Ms. Gabrielle Kirk McDonald and Mr. Lal Chand Vohrah.

Once again, I would remind delegations that the names of only four candidates should be marked with a cross. Any ballot paper on which more than four names are marked will be considered invalid. Votes may be cast only for those whose names appear on the ballot papers.

At the invitation of the President, Mr. Momen (Bangladesh), Mr. Lepeshko (Belarus), Mr. El Amrani (Morocco), Ms. McDonald (New Zealand), Miss Chatoor (Trinidad and Tobago) and Mr. Dzvairo (Zimbabwe) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 1.10 p.m. and resumed at 3.20 p.m.

The PRESIDENT: The result of the voting is as follows:

| | |
|---|---|
| Number of ballot papers: | 164 |
| Number of invalid ballots: | 0 |
| Number of valid ballots: | 164 |
| Abstentions: | 1 |
| Number of members voting: | 163 |
| Required absolute majority: | 94 |
| Number of votes obtained: | |
| Sir Ninian Stephen (Australia) | 73 |
| Mr. Rustam S. Sidhwa (Pakistan) | 62 |
| Mr. Julio A. Barberis (Argentina) | 58 |
| Mr. Heike Jung (Germany) | 58 |
| Ms. Elizabeth Odio Benito (Costa Rica) | 56 |
| Mr. Valentin G. Kisilev (Russian Federation) | 47 |
| Mr. Hüseyin Pazarci (Turkey) | 46 |
| Mr. Adolphus Godwin Karibi-Whyte (Nigeria) | 43 |
| Mr. Raphäel Barras (Switzerland) | 42 |
| Mr. Moragodage Christopher Walter Pinto (Sri Lanka) | 31 |
| Mr. Amadou N'Diaye (Mali) | 29 |
| Mr. Daniel David Ntanda Nsereko (Uganda) | 26 |
| Mr. Sikhe Camara (Guinea) | 23 |
| Mr. Alfonso de los Heros (Peru) | 20 |
| Mr. Jerzy Jasinski (Poland) | 20 |

The PRESIDENT: Since no candidate has obtained an absolute majority, the Assembly will have to proceed to another unrestricted ballot to fill the remaining four vacancies.

Ballot papers will now be distributed.

All candidates whose names appear on the ballot paper are eligible. Once again, I would remind delegations that the names of only four candidates should

(The President)

be marked with a cross. Any ballot paper on which more than four names are marked will be considered invalid. Votes may be cast only for those whose names appear on the ballot papers.

At the invitation of the President, Mr. Momen (Bangladesh), Mr. Lepeshko (Belarus), Mr. El Amrani (Morocco), Ms. McDonald (New Zealand), Miss Chatoor (Trinidad and Tobago) and Mr. Dzvairo (Zimbabwe) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 3.45 p.m. and resumed at 5.20 p.m.

The PRESIDENT: The result of the voting is as follows:

| | |
|---|---|
| Number of ballot papers: | 158 |
| Number of invalid ballots: | 0 |
| Number of valid ballots: | 158 |
| Abstentions: | 1 |
| Number of members voting: | 157 |
| Required absolute majority: | 94 |
| Number of votes obtained: | |
| Sir Ninian Stephen (Australia) | 90 |
| Mr. Rustam S. Sidhwa (Pakistan) | 65 |
| Mr. Julio A. Barberis (Argentina) | 60 |
| Mr. Heike Jung (Germany) | 60 |
| Ms. Elizabeth Odio Benito (Costa Rica) | 58 |
| Mr. Hüseyin Pazarci (Turkey) | 47 |
| Mr. Valentin G. Kiselev (Russian Federation) | 44 |
| Mr. Adolphus Godwin Karibi-Whyte (Nigeria) | 40 |
| Mr. Raphaël Barras (Switzerland) | 31 |
| Mr. Moragodage Christopher Walter Pinto (Sri Lanka) | 24 |
| Mr. Amadou N'Diaye (Mali) | 23 |
| Mr. Sikhe Camara (Guinea) | 20 |
| Mr. Alfonso de los Heros (Peru) | 17 |
| Mr. Daniel David Ntanda Nsereko (Uganda) | 17 |
| Mr. Jerzy Jasinski (Poland) | 9 |

The PRESIDENT: Once again, since no candidate has obtained an absolute majority, the Assembly will have to proceed to another unrestricted ballot to fill the remaining four vacancies.

Ballot papers will now be distributed.

All candidates whose names appear on the ballot paper are eligible. Once again, I would remind delegations that the names of only four candidates should be marked with a cross. Any ballot paper on which more than four names are

(The President)

marked will be considered invalid. Votes may be cast only for those whose names appear on the ballot papers.

At the invitation of the President, Mr. Momen (Bangladesh), Mr. Lepeshko (Belarus), Mr. El Amrani (Morocco), Ms. McDonald (New Zealand), Miss Chatoor (Trinidad and Tobago) and Mr. Dzvairo (Zimbabwe) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 5.35 p.m. and resumed at 6.15 p.m.

The PRESIDENT: The result of the voting is as follows:

| | |
|---|---|
| Number of ballot papers: | 156 |
| Number of invalid ballots: | 0 |
| Number of valid ballots: | 156 |
| Abstentions: | 1 |
| Number of members voting: | 155 |
| Required absolute majority: | 94 |
| Number of votes obtained: | |
| Sir Ninian Stephen (Australia) | 97 |
| Mr. Rustam S. Sidhwa (Pakistan) | 78 |
| Mr. Julio A. Barberis (Argentina) | 73 |
| Mr. Heike Jung (Germany) | 62 |
| Ms. Elizabeth Odio Benito (Costa Rica) | 58 |
| Mr. Adolphus Godwin Karibi-Whyte (Nigeria) | 45 |
| Mr. Hüseyin Pazarci (Turkey) | 42 |
| Mr. Valentin G. Kisilev (Russian Federation) | 32 |
| Mr. Amadou N'Diaye (Mali) | 20 |
| Mr. Moragodage Christopher Walter Pinto (Sri Lanka) | 19 |
| Mr. Sikhe Camara (Guinea) | 16 |
| Mr. Raphaël Barras (Switzerland) | 15 |
| Mr. Daniel David Ntanda Nsereko (Uganda) | 14 |
| Mr. Alfonso de los Heros (Peru) | 12 |
| Mr. Jerzy Jasinski (Poland) | 10 |

The PRESIDENT: Having obtained an absolute majority, Sir Ninian Stephen is elected a member of the International Tribunal.

The Assembly will have to proceed to another unrestricted ballot to fill the remaining three vacancies. In view of the late hour, I suggest that we suspend the meeting until tomorrow morning at 10 o'clock in order to continue with the balloting.

The meeting was suspended at 6.20 p.m. and resumed at 11.30 a.m. on Thursday, 16 September.*

The PRESIDENT: As announced yesterday, the General Assembly will now proceed to another unrestricted ballot to fill the remaining three vacancies.

Before proceeding, I wish to announce that I have been informed that the following candidates have decided to withdraw their names from the list of candidates: Mr. Raphaël Barras, of Switzerland; Mr. Alfonso de los Heros, of Peru; and Mr. Moragodage Christopher Walter Pinto, of Sri Lanka. Accordingly, the names of these three candidates have been deleted from the ballot paper.

Ballot papers will now be distributed.

All candidates whose names appear on the ballot paper are eligible. Once again, I would remind delegations that the names of only three candidates should be marked with a cross. Any ballot paper on which more than three names are marked will be considered invalid. Votes may be cast only for those whose names appear on the ballot paper.

At the invitation of the President, Mr. Momen (Bangladesh), Mr. Lepeshko (Belarus), Mr. El Amrani (Morocco), Ms. McDonald (New Zealand), Miss Chatoor (Trinidad and Tobago) and Mr. Dzvairo (Zimbabwe) acted as tellers.

A vote was taken by secret ballot.

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* Mr. Hayes (Ireland), Vice-President, took the Chair.

The meeting was suspended at 11.45 a.m. and resumed at 12.20 p.m.

The PRESIDENT: The result of the voting is as follows:

| | |
|---|---|
| Number of ballot papers: | 152 |
| Number of invalid ballots: | 1 |
| Number of valid ballots: | 151 |
| Abstentions: | 1 |
| Number of members voting: | 150 |
| Required majority: | 94 |
| Number of votes obtained: | |
| Mr. Rustam S. Sidhwa (Pakistan) | 74 |
| Mr. Julio A. Barberis (Argentina) | 64 |
| Mr. Adolphus Godwin Karibi-Whyte (Nigeria) | 61 |
| Ms. Elizabeth Odio Benito (Costa Rica) | 58 |
| Mr. Heike Jung (Germany) | 43 |
| Mr. Hüseyin Pazarci (Turkey) | 38 |
| Mr. Amadou N'Diaye (Mali) | 25 |
| Mr. Daniel David Ntanda Nsereko (Uganda) | 24 |
| Mr. Valentin G. Kisilev (Russian Federation) | 22 |
| Mr. Sikhe Camara (Guinea) | 9 |
| Mr. Jerzy Jasinski (Poland) | 9 |

The PRESIDENT: Since no candidate has obtained an absolute majority, the Assembly will have to proceed to another unrestricted ballot to fill the remaining three vacancies.

The meeting was suspended at 12.25 p.m and resumed at 12.45 p.m.

The PRESIDENT: I suspended the meeting to allow consultations to take place. They are continuing, and accordingly I shall suspend the meeting again, until this afternoon.

The meeting was suspended at 12.45 p.m. and resumed at 4.15 p.m.

Mr. MUSUKA (Zambia): As Chairman of the African Group for the month of September, I wish to announce on its behalf that the following candidates from Africa, Mr. Sikhe Camara and Mr. Daniel David Ntanda Nsereko, have decided to withdraw their names from the list of candidates. This decision has been reached to facilitate progress in this voting process and in a spirit of cooperation.

The PRESIDENT: The names of Mr. Sikhe Camara and Mr. Daniel David Ntanda Nsereko have been withdrawn and have therefore been deleted from the ballot paper.

In view of this, the names of candidates on the ballot papers that are to be distributed will now be: Mr. Julio Barberis, Mr. Jerzy Jasinski, Mr. Heike Jung, Mr. Adolphus Godwin Karibi-Whyte, Mr. Valentin G. Kisilev, Mr. Amadou N'Diaye, Ms. Elizabeth Odio Benito, Mr. Hüseyin Pazarci, and Mr. Rustam Sidhwa.

The ballot papers will now be distributed. All candidates whose names appear on the ballot paper are eligible. Once again, I would remind delegations that the names of only three candidates should be marked with a cross. Any ballot paper on which more than three names are marked will be considered invalid. Votes may be cast only for those whose names appear on the ballot paper.

At the invitation of the President, Mr. Momen (Bangladesh), Mr. Lepeshko (Belarus), Mr. El Amrani (Morocco), Ms. McDonald (New Zealand), Miss Chatoor (Trinidad and Tobago) and Mr. Dzvairo (Zimbabwe) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 4.35 p.m. and resumed at 5.30 p.m.

The PRESIDENT: The result of the voting is as follows:

| | |
|---|---|
| Number of ballot papers: | 150 |
| Number of invalid ballots: | 0 |
| Number of valid ballots: | 150 |
| Abstentions: | 1 |
| Number of members voting: | 149 |
| Required majority: | 94 |
| Number of votes obtained: | |
| Mr. Adolphus Godwin Karibi-Whyte (Nigeria) | 75 |
| Mr. Rustam S. Sidhwa (Pakistan) | 75 |
| Mr. Julio A. Barberis (Argentina) | 59 |
| Ms. Elizabeth Odio Benito (Costa Rica) | 59 |
| Mr. Amadou N'Diaye (Mali) | 36 |
| Mr. Hüseyin Pazarci (Turkey) | 30 |
| Mr. Heike Jung (Germany) | 28 |
| Mr. Valentin G. Kisilev (Russian Federation) | 23 |
| Mr. Jerzy Jasinski (Poland) | 14 |

The PRESIDENT: Since once again no candidate has obtained an absolute majority, the Assembly will have to proceed to another unrestricted ballot to fill the remaining three vacancies.

Before proceeding with the balloting, I wish to announce that I have been informed that Mr. Heike Jung has decided to withdraw his name from the list of candidates. His name has therefore been deleted from the ballot paper.

Ballot papers will now be distributed. All candidates whose names appear on the ballot paper are eligible. Once again, I would remind delegations that the names of only three candidates should be marked with a cross. Any ballot

(The President)

paper on which more than three names are marked will be considered invalid. Votes may be cast only for those whose names appear on the ballot papers.

At the invitation of the President, Mr. Momen (Bangladesh), Mr. Lepeshko (Belarus), Mr. El Amrani (Morocco), Ms. McDonald (New Zealand), Miss Chatoor (Trimidad and Tobago) and Mr. Dzvairo (Zimbabwe) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 5.50 p.m. and resumed at 6.20 p.m.

The PRESIDENT: The result of the voting is as follows:

| | |
|---|---|
| Number of ballot papers: | 150 |
| Number of invalid ballots: | 0 |
| Number of valid ballots: | 150 |
| Abstentions: | 1 |
| Number of members voting: | 149 |
| Required majority: | 94 |
| Number of votes obtained: | |
| Mr. Adolphus Godwin Karibi-Whyte (Nigeria) | 85 |
| Mr. Rustam S. Sidhwa (Pakistan) | 84 |
| Ms. Elizabeth Odio Benito (Costa Rica) | 69 |
| Mr. Julio A. Barberis (Argentina) | 55 |
| Mr. Amadou N'Diaye (Mali) | 36 |
| Mr. Hüseyin Pazarci (Turkey) | 28 |
| Mr. Valentin G. Kisilev (Russian Federation) | 22 |
| Mr. Jerzy Jasinski (Poland) | 13 |

The PRESIDENT: Since once again no candidate has obtained an absolute majority, the Assembly will have to proceed to another unrestricted ballot to fill the remaining three vacancies.

In view of the late hour, the next round of balloting is postponed until tomorrow morning at 10 o'clock.

PROGRAMME OF WORK

THE PRESIDENT: Before suspending the meeting, I should like to inform representatives that the last plenary meeting of the current session will be held next Monday morning, 20 September. At that meeting, the General Assembly will have before it a draft resolution on "An Agenda for Peace", to be considered under agenda item 10, "Report of the Secretary-General on the work of the Organization". The draft resolution will be issued tomorrow as document A/47/L.65.

(The President)

The Assembly will also have before it the request by the President of the Economic and Social Council for the Assembly to consider a draft resolution on the International Year of the Family. The request is contained in document A/47/1011.

The Assembly will also consider, under agenda item 17 (h), the appointment of one member of the Joint Inspection Unit.

The meeting was suspended at 6.25 p.m. and reconvened at 11 a.m. on Friday, 17 September.*

AGENDA ITEM 156 (continued)

ELECTION OF THE INTERNATIONAL TRIBUNAL FOR THE PROSECUTION OF PERSONS RESPONSIBLE FOR SERIOUS VIOLATIONS OF INTERNATIONAL HUMANITARIAN LAW COMMITTED IN THE TERRITORY OF THE FORMER YUGOSLAVIA SINCE 1991

(a) LETTER FROM THE PRESIDENT OF THE SECURITY COUNCIL (A/47/1003)

(b) MEMORANDUM BY THE SECRETARY-GENERAL, INCLUDING THE LIST OF CANDIDATES (A/47/1005)

(c) CURRICULA VITAE (A/47/1006)

The PRESIDENT: As announced yesterday, the General Assembly will now proceed to another unrestricted ballot to fill the remaining three vacancies in the International Tribunal.

Before proceeding with the balloting, I wish to announce that I have been informed that Mr. Hüseyin Pazarci of Turkey has decided to withdraw his name from the list of candidates. His name has therefore been deleted from the ballot paper.

The names of the remaining candidates that will appear on the ballot papers to be distributed are as follows: Mr. Julio A. Barberis, Mr. Jerzy Jasinski, Mr. Adolphus Godwin Karibi-Whyte, Mr. Valentin G. Kisilev, Mr. Amadou N'Diaye, Ms. Elizabeth Odio Benito, and Mr. Rustam S. Sidhwa.

Ballot papers will now be distributed. All candidates whose names appear on the ballot paper are eligible. Once again, I would remind delegations that only the names of three candidates should be marked with a cross. Any ballot paper on which more than three names are marked will be considered invalid. Votes may only be cast for those whose names appear on the ballot paper.

At the invitation of the President, Mr. Momen (Bangladesh), Mr. Lepeshko (Belarus), Mr. El Amrani (Morocco), Ms. McDonald (New Zealand), Miss Chatoor (Trinidad and Tobago) and Mr. Dzvairo (Zimbabwe) acted as tellers.

A vote was taken by secret ballot.

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* The President returned to the chair.

The meeting was suspended at 11.25 a.m. and resumed at 12.05 p.m.

The PRESIDENT: The result of the voting is as follows:

| | |
|---|---|
| Number of ballot papers: | 150 |
| Number of invalid ballots: | 0 |
| Number of valid ballots: | 150 |
| Abstentions: | 1 |
| Number of members voting: | 149 |
| Required absolute majority: | 94 |
| Number of votes obtained: | |
| Mr. Adolphus Godwin Karibi-Whyte (Nigeria) | 95 |
| Mr. Rustam S. Sidhwa (Pakistan) | 88 |
| Ms. Elizabeth Odio Benito (Costa Rica) | 74 |
| Mr. Julio A. Barberis (Argentina) | 53 |
| Mr. Amadou N'Diaye (Mali) | 39 |
| Mr. Valentin G. Kisilev (Russian Federation) | 21 |
| Mr. Jerzy Jasinski (Poland) | 15 |

The PRESIDENT: Having obtained an absolute majority, Mr. Adolphus Godwin Karibi-Whyte is elected a member of the International Tribunal.

The General Assembly will have to proceed to another unrestricted ballot to fill the remaining two vacancies.

The ballot papers will now be distributed. All candidates whose names appear on the ballot paper are eligible. Once again, I would remind delegations that the names of only two candidates should be marked with a cross. Any ballot paper on which more than two names are marked will be considered invalid. Votes may be cast only for those whose names appear on the ballot paper.

At the invitation of the President, Mr. Momen (Bangladesh), Mr. Lepeshko (Belarus), Mr. El Amrani (Morocco), Ms. McDonald (New Zealand), Miss Chatoor (Trinidad and Tobago) and Mr. Dzvairo (Zimbabwe) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 12.25 p.m. and resumed at 12.55 p.m.

The PRESIDENT: The result of the voting is as follows:

| | |
|---|---|
| Number of ballot papers: | 152 |
| Number of invalid ballots: | 5 |
| Number of valid ballots: | 147 |
| Abstentions: | 1 |
| Number of members voting: | 146 |
| Required absolute majority: | 94 |
| Number of votes obtained: | |
| Mr. Rustam S. Sidhwa (Pakistan) | 92 |
| Ms. Elizabeth Odio Benito (Costa Rica) | 90 |
| Mr. Julio A. Barberis (Argentina) | 35 |
| Mr. Amadou N'Diaye (Mali) | 26 |
| Mr. Valentin G. Kisilev (Russian Federation) | 13 |
| Mr. Jerzy Jasinski (Poland) | 11 |

The PRESIDENT: Since no candidate has obtained an absolute majority, the Assembly will have to proceed to another unrestricted ballot to fill the remaining two vacancies.

Ballot papers will now be distributed.

All candidates whose names appear on the ballot paper are eligible. Once again, I would remind delegations that the names of only two candidates should be marked with a cross. Any ballot paper on which more than two names are marked will be considered invalid. Votes may be cast only for those whose names appear on the ballot papers.

At the invitation of the President, Mr. Momen (Bangladesh), Mr. Lepeshko (Belarus), Mr. El Amrani (Morocco), Ms. McDonald (New Zealand), Miss Chatoor (Trinidad and Tobago) and Mr. Dzvairo (Zimbabwe) acted as tellers.

A vote was taken by secret ballot.

The meeting was suspended at 1.15 p.m. and resumed at 1.35 p.m.

The PRESIDENT: The result of the voting is as follows:

| | |
|---|---|
| Number of ballot papers: | 149 |
| Number of invalid ballots: | 0 |
| Number of valid ballots: | 149 |
| Abstentions: | 1 |
| Number of members voting: | 148 |
| Required absolute majority: | 94 |
| Number of votes obtained: | |
| Mr. Rustam S. Sidhwa (Pakistan) | 112 |
| Ms. Elizabeth Odio Benito (Costa Rica) | 109 |
| Mr. Julio A. Barberis (Argentina) | 28 |
| Mr. Amadou N'Diaye (Mali) | 18 |
| Mr. Valentin G. Kisilev (Russian Federation) | 11 |
| Mr. Jerzy Jasinski (Poland) | 7 |

The PRESIDENT: Having obtained an absolute majority, Ms. Elizabeth Odio Benito and Mr. Rustam Sidhwa are elected members of the International Tribunal.

Having obtained an absolute majority, the following 11 candidates are elected members of the International Tribunal for a four-year term, beginning 17 November 1993: Mr. Georges Michel Abi-Saab, Mr. Antonio Cassese, Mr. Jules Deschenes, Mr. Adolphus Godwin Karibi-Whyte, Mr. Germain Le Foyer de Costil, Mr. Li Haopei, Ms. Gabrielle Kirk McDonald, Ms. Elizabeth Odio Benito, Mr. Rustam S. Sidhwa, Sir Ninian Stephen and Mr. Lal Chand Vohrah.

I take this opportunity to extend to them the congratulations of the Assembly on their election and to thank the tellers for their assistance.

The International Tribunal has thus been fully established. That concludes our consideration of agenda item 156.

The meeting rose at 1.40 p.m.